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Interagency Agreement with the United States Fish & Wildlife Service for Provision of Technical Support for Remedial Activities at the Asbestos Dump Site (Second Operable Unit), Morris County, New Jersey

Richard L. Caspe, P.E., Director  
Emergency and Remedial Response Division

Constantine Sidamon-Eristoff  
Regional Administrator

Purpose

The purpose of this memorandum is to amend an existing Interagency Agreement (IAG) between the United States Fish & Wildlife Service (FWS) and the United States Environmental Protection Agency (EPA). The amendment will extend the budget and project periods to September 30, 1992. No additional funding is necessary.

Background

The Asbestos Dump Site is a National Priority List Site which consists of four properties located in southeastern Morris County, New Jersey. These four properties are the Millington Site, the Dietzman Tract, the New Vernon Road Site, and the White Bridge Road Site. The Asbestos Dump Site project was divided into two operable units.

The subject of the first operable unit is the Millington Site. A record of decision (ROD) for the Millington Site was signed on September 30, 1988. Negotiations with the responsible parties (National Gypsum and Tifa, Ltd.) were lengthy and unsuccessful. Ultimately, the problems causing obstacles to resolution were brought before Headquarters' Settlement Decision Committee. Headquarters determined that a unilateral order would be appropriate. Consequently, EPA issued the responsible parties a \$106 Unilateral Order on September 25, 1989. This order requires the responsible parties to implement all ROD requirements except for the treatability studies which shall be performed by EPA.

National Gypsum submitted its draft Remedial Design/Remedial Action (RD/RA) Work Plan in January 1990 as scheduled in the order. However, this work plan was extremely deficient and required a time-intensive effort to prepare the required revisions. EPA provided its changes to National Gypsum in June 1990. EPA met with National Gypsum on June 27, 1990 to clarify the comments and revisions. National Gypsum submitted the revised RD/RA Work Plan on July 10, 1990, five days past the deadline for submission. EPA is currently performing a detailed review of the revised submission to ensure that all of EPA's required revisions and comments are adequately addressed.

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SYMBOL	--->	CNJCS	CNJCS	VNJCS	NJCS	ADNJP	CMS	ERRD-OD	ERRD-D
SURNAME	--->	JAFFESS	FELDSTEIN	DIFORTE	BASSO	FRISCO	ALVI	CALLAHAN	CASPE
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The subjects of the second operable unit are the Dietzman Tract, the New Vernon Road Site, and the White Bridge Road Site. These areas were included in National Gypsum's first remedial investigation studies, conducted during 1986 through 1988. However, additional work is necessary to define the magnitude and extent of contamination. The existing IAG provides for FWS personnel to furnish direct support to EPA as technical advisor on matters relating to the assessment of environmental risk posed by releases at the Asbestos Dump Site. Further, the FWS will assist in evaluation of proposed remediation alternatives, comment on potential impacts to the environment and, if needed, evaluate the effectiveness of proposed habitat restoration plans.

The original IAG was prepared prior to the completion of RD/RA negotiations with the responsible parties. Resolution of the first operable unit was considered a priority before starting discussions on the second operable unit work. Due to the negotiation difficulties with the first operable unit and subsequent time-consuming work involving the first operable unit RD/RA Work Plan, the implementation of the second operable unit RI/FS has been delayed. Therefore, the project and budget periods for this IAG must be extended.

#### Future Activities

We are in the process of scoping the RI/FS activities for the second operable unit. In addition, the Asbestos Dump site is currently being evaluated for a Removal Action. This IAG will enable EPA to solicit the expertise and assistance of the FWS in evaluating remedial alternatives for the second operable unit.

#### Recommendation

I recommend that you sign the attached copies of the IAG amendment at your earliest convenience. I am also available to discuss this request at your convenience.

#### Attachment

bcc w/attach.: Shaheer Alvi, 2ERRD-PSB  
Anita Brown, 2ERRD-PSB  
John Frisco, 2ERRD-ADNJP  
Ray Basso, 2ERRD-NJCB  
Nickie DiForte, 2ERRD-NJCB  
Sharon Jaffess, 2ERRD-NJCB